



Docket No. 249971US6CONT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Erich BAYER

SERIAL NO: 10/790,126

GAU: 2615

FILED: March 2, 2004

EXAMINER: PENDLETON, DIONNE

FOR: OTOPLASTY FOR BEHIND-THE-EAR (BTE) HEARING AIDS

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

**REFERENCES**

- ☒ The applicant(s) wish to make of record the references cited in the attached Japanese Office Action and listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☒ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- ☐ Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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Form PTO 1449  
(Modified)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.

249971US6CONT

SERIAL NO.

10/790,126

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Erich BAYER

FILING DATE

March 2, 2004

GROUP

2615

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA					
	AB					
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					
	AL					
	AM					
	AN					

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
				YES	NO
	AO	WO 98/31193	07/16/1998	WIPO	
	AP	74473	11/22/1927	Japan	X
	AO	58-104077	07/15/1983	Japan	X
	AR	60-40187	03/20/1985	Japan	X
	AS				
	AT				
	AU				
	AV				

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	
	AX	
	AY	
	AZ	<input type="checkbox"/> Additional References sheet(s) attached

Examiner

Date Considered

\*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.